



TUOLUMNE COUNTY PROBATION DEPARTMENT

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Chief Probation Officer

Electronic Monitoring Program ELIGIBILITY CRITERIA

* **Important Notice:** Regardless of whether or not the applicant meets the eligibility requirements noted below, the sentencing Judge has complete discretion to determine whether or not to grant participation in the Electronic Monitoring Program.

Minimum Eligibility Requirements:

1. Offenders must rate as "low" or "moderate" risk according to the Probation Department's Static Risk Assessment tool;
2. Offenders must meet the minimum requirements of the EMP Pre-Screening Assessment, which includes, but is not limited to, employment and criminal history;
3. Offenders must reside at a verifiable, legal address within Tuolumne County;
4. Offenders must be willing to pay a one-time **Administration Fee of \$38.25** and a **per day fee of \$16.50 - \$19.50**. A Financial Evaluation must be completed through the Tuolumne County Office of Revenue Recovery to determine the offender's ability to pay. No offender shall be denied participation based on their inability to pay and the daily fee may be assessed on a sliding scale;
5. Offenders must have a minimum of a 20 day jail sentence;

Disqualifying Factors:

1. Current or prior felony convictions within the past 7 years for violation of §273.5 of the Penal Code (Spousal Abuse) or a conviction of a felony listed in §667.5(c) of the Penal Code (Violent Felony) or §1192.7(c) of the Penal Code (Serious Felony);
2. Two or more DUI convictions within the last ten (10) years;
3. Felony DUI convictions;
4. Pending charges, warrants, "holds", or jail commitments in any jurisdiction;
5. Poor prior performance/compliance on probation/parole *may* cause an offender to be ineligible for EMP on a case-by-case basis;
6. Convictions for misdemeanor violations of §273.5 and §243(e)(1) of the Penal Code will be considered presumptively ineligible;

Other Important Information:

1. Offenders who live outside Tuolumne County and are found suitable for EMP may be eligible for participation in an alternative sentencing program in their home-county

should the outside agency provide a written agreement to provide services.
Defendants who live in neighborhoods adjacent to Tuolumne County lines may be considered for EMP on a case-by-case basis;

2. Offenders *may be* required to have a land line with no custom calling features (i.e. call waiting, three way calling, DSL, DVR, TIVO or voice over IP) and 110 watt AC electrical service. Offenders may
3. Offenders granted EMP *shall not* be granted good time/ work time credits;
4. Lacking good cause, offenders who fail to apply for EMP within fourteen (14) days of their sentencing date, fail to return a completed application, or fail to appear for a scheduled interview *may* be found ineligible for EMP.

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